



Order Filed on July 30, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Jonathan Schwalb, Esq.  
Friedman Vartolo LLP  
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New York, New York 10004  
Attorneys for BSI Financial Services as Servicer for US  
Bank Trust National Association as Trustee of the Cabana  
Series III Trust  
P: (212) 471-5100  
[Bankruptcy@FriedmanVartolo.com](mailto:Bankruptcy@FriedmanVartolo.com)

IN RE:

Glenn N Partusch  
Frances Partusch

Debtors

CASE NO.: 15-29537

CHAPTER: 7

HON. JUDGE.:  
Christine M. Gravelle

HEARING DATE:  
JULY 30, 2019 AT 10:00 AM

**ORDER VACATING AUTOMATIC STAY**

The relief set forth on the following page numbered two (2) is hereby **ORDERED**.

**DATED: July 30, 2019**

A handwritten signature in black ink, reading "Christine M. Gravelle", is written over a horizontal line.  
Honorable Christine M. Gravelle  
United States Bankruptcy Judge

Upon the motion of BSI Financial Services as Servicer for US Bank Trust National Association as Trustee of the Cabana Series III Trust, on behalf of its successors and/or assigns (hereinafter collectively “Secured Creditor” and/or “Movant”) under Bankruptcy Code section 362(d) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

**ORDERED** that the automatic stay of Bankruptcy Code Section 362(a) is vacated to permit the Movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

[x] Real property commonly known and more fully described as: 5 Island View Way, Unit #16, Sea Bright, NJ 07760

**ORDERED** that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversation to any other chapter of the Bankruptcy Code; and it is further

**ORDERED**, that the stay afforded by 11 U.S.C. §362(a) be, and is hereby, modified to permit BSI Financial Services as Servicer for US Bank Trust National Association as Trustee of the Cabana Series III Trust, its successors and/or assigns, to pursue its rights under applicable state law with respect to the premises 5 Island View Way, Unit #16, Sea Bright, NJ 07760; and it is further

**ORDERED**, that the instant order is binding in the event of a conversion; and it is further

**ORDERED**, that the Movant is granted reasonable attorney fees in the amount of \$750.00 and costs in the amount of \$181.00; and it is further

**ORDERED**, that the trustee be informed of any surplus monies resulting from the sale of the collateral.

**ORDERED**, that the movant shall serve this order on the debtor, any trustee, and any other party who entered an appearance on the motion.

## Imaged Certificate of Notice Page 3 of 4

United States Bankruptcy Court  
District of New JerseyIn re:  
Glenn N Partusch  
Frances Partusch  
DebtorsCase No. 15-29537-CMG  
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903Page 1 of 2  
Total Noticed: 2

Date Rcvd: Jul 30, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 01, 2019.

db #+Glenn N Partusch, 7 Sunset Lane, Monmouth Beach, NJ 07750-1221  
jdb #+Frances Partusch, 7 Sunset Lane, Monmouth Beach, NJ 07750-1221Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 01, 2019

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 30, 2019 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR MERRILL LYNCH MORTGAGE INVESTORS, INC., MORTGAGE PASS-THROUGH CERTIFICATES, MANA SERIES 2007-A2 nj.bkecf@fedphe.com

Andrew L. Spivack on behalf of Creditor DITECH FINANCIAL LLC F/K/A GREEN TREE SERVICING LLC nj.bkecf@fedphe.com

Andrew L. Spivack on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-1 nj.bkecf@fedphe.com

Benjamin Teich on behalf of U.S. Trustee United States Trustee Benjamin.Teich@usdoj.gov

Denise E. Carlon on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Elizabeth K. Holdren on behalf of Creditor Island View Townhouse Condominium Association, Inc. eak@hillwallack.com, jhanley@hillwallack.com, hwbknj@hillwallack.com

Emmanuel J. Argentieri on behalf of Creditor Bosco Credit VI Trust Series 2012-1 bk@rgalegal.com

Francesca Ann Arcure on behalf of Creditor Specialized Loan Servicing LLC as servicing agent for HSBC Bank USA, National Association as Trustee for Merrill Lynch Mortgage Investors, Inc., Mortgage Pass-Through Certificates, MANA Series 2007-A2 NJ\_ECF\_Notices@McCalla.com, NJ\_ECF\_Notices@McCalla.com

Gregory R. Milne on behalf of Creditor Two River Community Bank grmilne@fsfm-law.com, bdcovitsky@fsfm-law.com

James Patrick Shay on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-1 jpshay@mdwgc.com, jpshay@gmail.com

James Patrick Shay on behalf of Creditor DITECH FINANCIAL LLC F/K/A GREEN TREE SERVICING LLC jpshay@mdwgc.com, jpshay@gmail.com

James Patrick Shay on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR MERRILL LYNCH MORTGAGE INVESTORS, INC., MORTGAGE PASS-THROUGH CERTIFICATES, MANA SERIES 2007-A2 jpshay@mdwgc.com, jpshay@gmail.com

John D. Krohn on behalf of Creditor DITECH FINANCIAL LLC F/K/A GREEN TREE SERVICING LLC nj.bkecf@fedphe.com

Jonathan C. Schwalb on behalf of Creditor BSI Financial Services bankruptcy@friedmanvartolo.com

Jules L. Rossi on behalf of Debtor Glenn N Partusch jlrbk423@aol.com, G24529@notify.cincompass.com

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User: admin  
Form ID: pdf903

Page 2 of 2  
Total Noticed: 2

Date Rcvd: Jul 30, 2019

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Jules L. Rossi on behalf of Joint Debtor Frances Partusch jlrbk423@aol.com,  
G24529@notify.cincompass.com  
Karen E. Bezner Kbez@bellatlantic.net, NJ61@ecfcbis.com;KarenEBeznerEsq@aol.com  
Karen E. Bezner on behalf of Trustee Karen E. Bezner Kbez@bellatlantic.net,  
NJ61@ecfcbis.com;KarenEBeznerEsq@aol.com  
Michael Frederick Dingerdissen on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR  
LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com  
Michael Frederick Dingerdissen on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS  
TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES  
2007-1 nj.bkecf@fedphe.com  
Michael Frederick Dingerdissen on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR  
LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT  
nj.bkecf@fedphe.com  
Miriam Rosenblatt on behalf of Creditor HSBC Bank USA, National Association  
miriam.rosenblatt@mhllp.com, mrosenblatt@rasflaw.com  
Nicholas V. Rogers on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER  
PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT nj.bkecf@fedphe.com  
Nicholas V. Rogers on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR  
NOMURA ASSET ACCEPTANCE CORPORATION, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-1  
nj.bkecf@fedphe.com  
Nicholas V. Rogers on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER  
PARTICIPATION TRUST nj.bkecf@fedphe.com  
Patrick O. Lacsina on behalf of Creditor Seterus, Inc. as authorized subservicer for Federal  
National Mortgage Association (Fannie Mae), Creditor c/o Seterus, Inc. ,  
PATRICK.LACSINA@GMAIL.COM  
R. A. Lebron on behalf of Creditor BAYVIEW LOAN SERVICING, LLC. bankruptcy@feinsuch.com  
R. A. Lebron on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER  
PARTICIPATION TRUST by CALIBER HOME LOANS, INC. bankruptcy@feinsuch.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov  
United States Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 30